Programmatic Essential Fish Habitat Assessment Finalized

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Essential Fish Habitat (EFH)

- Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA)
  - Required to consult with the Secretary of Commerce on any action that may adversely affect EFH.

EFH

"those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity."

- **waters** are defined as "aquatic areas and their associated physical, chemical, and biological properties that are used by fish," and may include areas historically used by fish.
- **substrate** means "sediment, hard bottom, structures underlying the waters, and associated biological communities;"
- **necessary** means "the habitat required to support a sustainable fishery and the managed species' contribution to a healthy ecosystem;" and spawning, breeding, feeding, or growth to maturity covers the full life cycle of a species.

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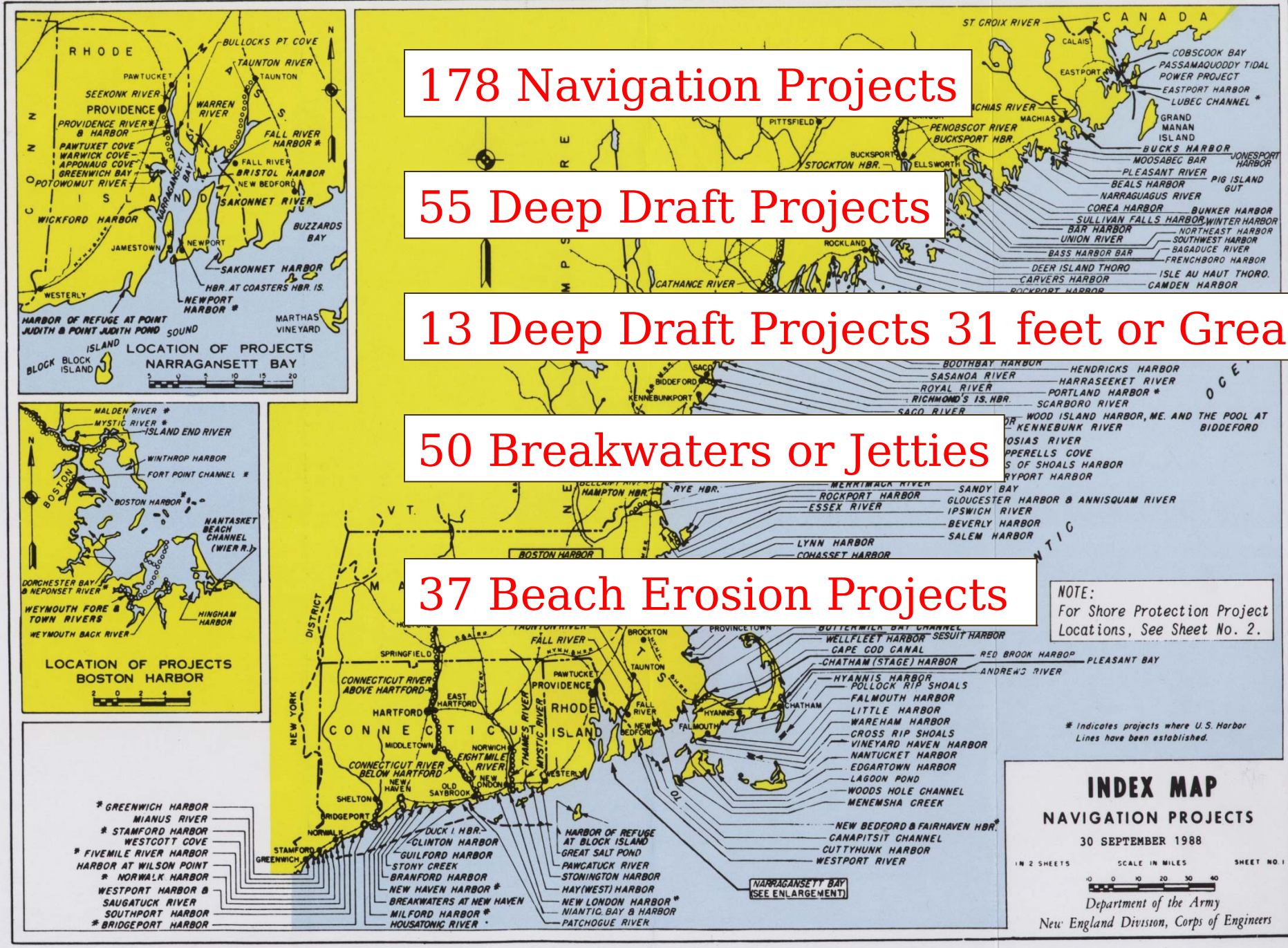


Programmatic EFH Assessment

- INTRODUCTION
  - A. Purpose

    A programmatic consultation would be an appropriate mechanism to meet EFH consultation requirements and would streamline the process
  - B. Program Description
  - C. Dredge Types
    - Hydraulic Dredge
      - Cutterhead Pipeline Dredge and Hopper Dredge
    - Mechanical Dredge
  - D. Generalized Impacts From Dredging
    - Turbidity
    - Sediment Deposition
    - Entrainment
    - Noise
    - Recovery of Disturbed Habitats
  - E. General Dredge Information and Impacts from Tier 1 Projects

Tier 1 Projects

- Frequently maintained Federal navigation projects
- Have no significant environmental issues relating to EFH with proper controls
- Maintenance dredging of sandy material
  - at least 90% of the sediments are sand
  - 10,000 to 100,000 cubic yards of material
- Dredged on a frequency of one to ten years
- The dredged material is disposed of in a nearshore area or on near-by beaches for nourishment purposes.
- Nine projects included as part of the Programmatic EFH Assessment

Hopper Dredge

Mechanical Dredge

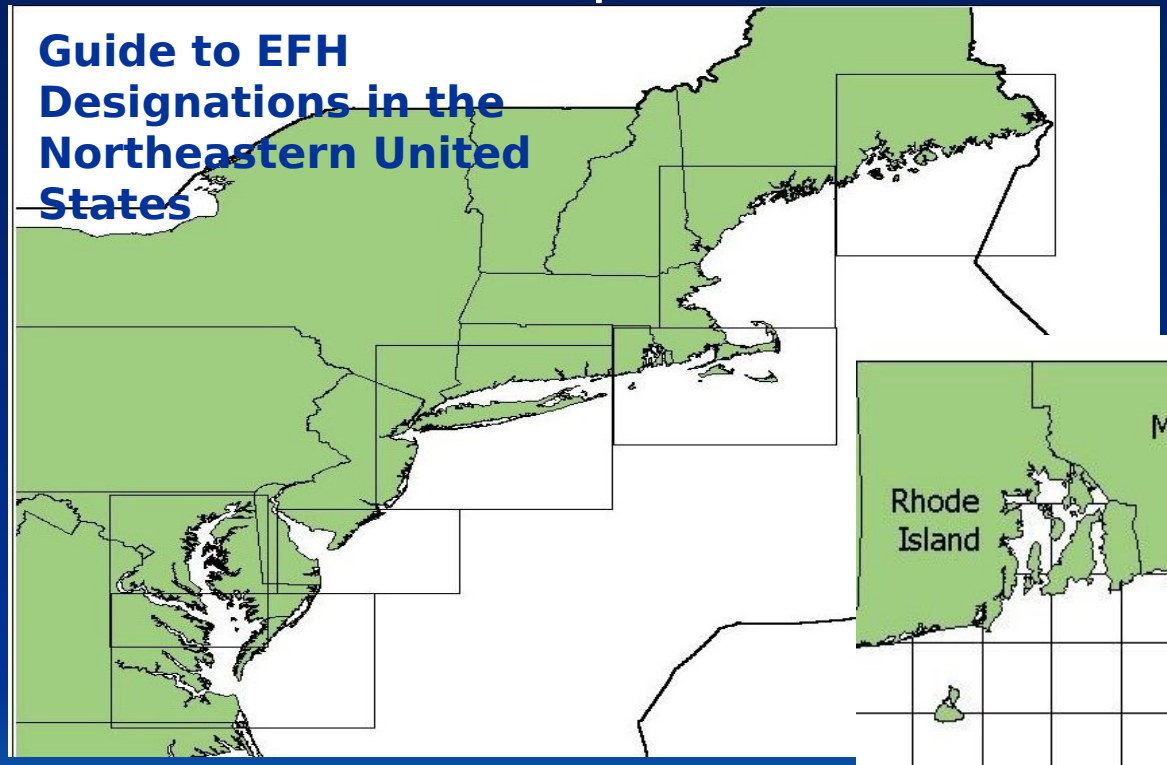
Cutterhead Pipeline Dredge

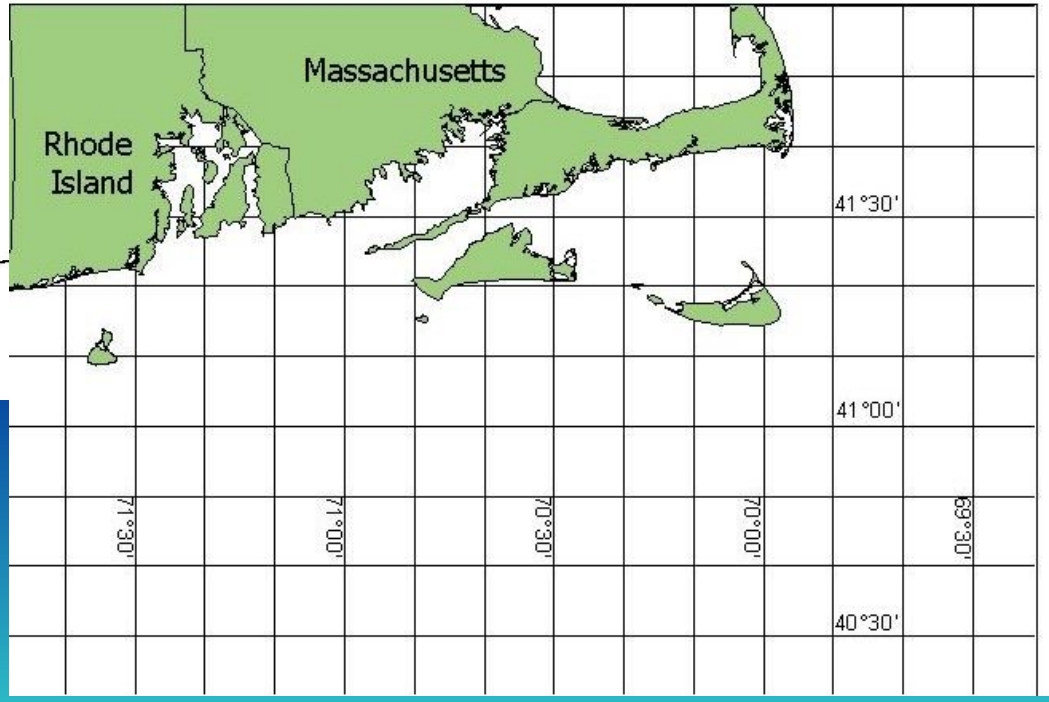
CURRITUCK
CURRITUCK

Disposal

- II. TYPES OF EFH AFFECTED BY PROGRAM ACTIVITIES AND ASSESSMENT OF EFFECTS ON EFH
  - A. Introduction
    - Intertidal Habitats
      - Sandy Beaches
      - Rocky Habitats
      - Sand Flats
      - Mudflats
      - Salt Marshes
      - Shellfish/Oyster Beds
    - Subtidal Habitats
      - Muddy Subtidal Habitats
      - Sandy Subtidal Habitats
      - Submerged Aquatic Vegetation (SAV)
      - Hard Bottom Subtidal

- III. MANAGED SPECIES EFH
  - A. General
  - B. EFH Species for Tier 1 Projects





Summary of Essential Fish Habitat (EFH) Designation

Boundary	North	East	South	West
Coordinate	41° 50.0’ N	69° 50.0’ W	41° 40.0’ N	70° 00.0’ W

Square Description (i.e. habitat, landmarks, coastline markers):
Atlantic Ocean waters within the square affecting the following: east of Eastham, MA., and Orleans, MA., on the open ocean side of Cape Cod. These waters are east of from Nauset Beach north of Nauset Harbor in Orleans, MA., south to Chatham Harbor in Chatham, MA. Also affected are: Town Cove, Hopkins I., Pochet Neck and I., Barley Neck, Namequoit Pt. east of South Orleans, MA., Sampson I., Hog I., Sipson I., Pleasant Bay, Strong I., Nickerson Neck, Crows Pond, Ryder Cove, Chatham Port, MA., North Chatham, MA., and Allen Pt.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic cod *(Gadus morhua)*	X	X	X	X
haddock *(Melanogrammus aeglefinus)*			X	X
whiting *(Merluccius bilinearis)*	X	X	X	X
red hake *(Urophycis chuss)*	X	X	X	X
redfish *(Sebastes fasciatus)*	n/a	X	X	X
winter flounder *(Pleuronectes americanus)*	X	X	X	X
windowpane flounder *(Scopthalmus*				X

IV. OTHER NOAA-TRUST RESOURCES
- Anadromous Fish & Shellfish

V. NAE PROPOSED MITIGATION MEASURES

1. Avoidance of work during critical fish or shellfish sensitive life stages through the application of dredge windows where such resources have been identified.

2. Buffer zones of 100 feet around fragile environments such as SAV beds located in or adjacent to disposal areas and significant shellfish resource areas.

Appendix A –
REGULATIONS AND FISHERY MANAGEMENT PLANS

NEW ENGLAND Fishery Management Council
MID-ATLANTIC Fishery Management Council
SOUTH ATLANTIC Fishery Management Council
SECRETARIAL Fishery Management Plan for Highly Migratory Species

Appendix B –
PROJECT DESCRIPTIONS AND MAPS

Tier 1 Federal Navigation Projects.

Project Name	Code	Dredging Frequency	Time of Year Restriction	EFH Issues	Disposal sites and Comments
Andrews River Harwich, MA	AND	Approx. 2–3 years	None	SAV beds adjacent to disposal site	Nearshore in Nantucket Sound East of entrance channel, off of Neel Road Beach in 7 to 12' MLW. Clean sand material. SAV beds will be avoided with 100' buffer.
Aunt Lydia's Cove, Chatham, MA	AUN	Approx. 1-2 years	None	None	Nearshore outside landcut or off of Andrews Harding Beach. Clean sand material.
Great Salt Pond, New Shoreham,RI	GSP	Approx. 3 - 5 years	None	SAV beds adjacent to entrance channel	Nearshore on western side of Block Island off Charlestown Beach. Clean sand material.

Aunt Lydia's Cove

Project Depth: 8' Entrance Channel

Last Dredged: 2007

Quantity: 50k cy

Material Type: Sand

Equipment Type: Currituck

Disposal Site: Nearshore (inside and outside bar)

Haul Distance: 1-2 miles

Aunt Lydia's Cove

Other Resources of Concern

- Eelgrass
- Shellfish

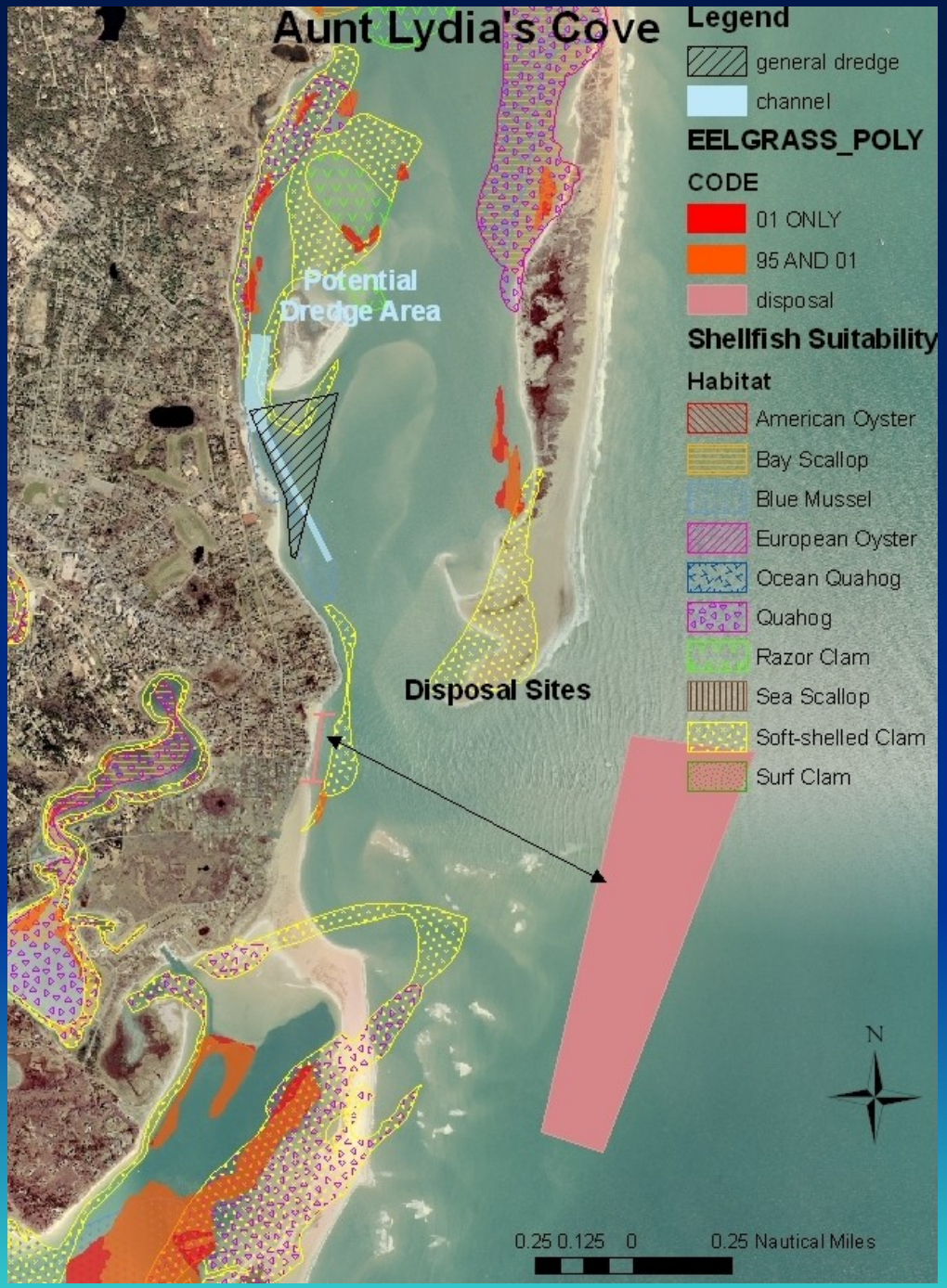


Table 1. Projects included in the EFH Programmatic Consultation on USACE, NAE's Frequently Maintained Tier 1 (Sandy) Dredging Projects

Project Name	Time of Year Restriction	EFH Issues	Pre-Construction Monitoring and Conditions
Aunt Lydia's Cove, Chatham, MA	None	Potential SAV beds in anchorage area and at Andrew Harding disposal site	Must include video &/or diver survey of SAV beds and marking prior to construction using DGPS &/or buoys. SAV beds will be avoided with 100' buffer at dredging and disposal site. No anchoring in SAV beds. Charts showing SAV beds mush be provided to dredging contractors.

Also required to complete yearly updates of projects dredged, including quantities, time of dredging, and any resource surveys completed

Key Takeaway Points

- Discuss with NMFS before starting any Programmatic Assessment to determine format and information needed
  - Our PEFH required specifics for each project and NMFS regulated each project differently (time of year restrictions) based on resources in the area
- Plan for several versions of the document (it took over 2 years to finalized our PEFH Assessment)
  - But it now saves time for both USACE and NMFS, 3 of the Tier 1 projects included in the PEFH Assessment will be dredged this spring/summer
- Follow all monitoring and restrictions within the PEFH
- Also the concept of Programmatic Assessments could be used for other types of Consultations such as Endangered Species or Regional Disposal Sites